

REGULAR ZONING MEETING OF THE CITY COUNCIL

MONDAY, DECEMBER 15, 2014, 2:30 P.M.

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BE IT REMEMBERED that a Regular Zoning Meeting of the City Council of Jackson, Mississippi was convened in the Council Chambers in City Hall at 2:30 p.m. on December 15, 2014, being the third Monday of said month when and where the following things were had and done to wit:

Present: Council Members: De'Keither Stamps; President, Ward 4; Melvin Priester, Jr.; Vice-President, Ward 2; Tyrone Hendrix, Ward 6 and Margaret Barrett-Simon, Ward 7. Maxine Brown, Senior Deputy; Allice Lattimore; Deputy City Clerk; Ester Ainsworth, Zoning Administrator; Eric Jefferson, Director of Planning; Akili Kelly, Senior Planner and Azande Williams, Deputy City Attorney.

Absent: Charles Tillman, Ward 5.

The meeting was called to order by **President De'Keither Stamps**.

President Stamps recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3881, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

President Stamps requested that the Clerk read said Order:

ORDER GRANTING ELECTRIC GUARD DOG, LLC A TWO (2) FEET VARIANCE FROM THE MAXIMUM EIGHT (8) FT. HEIGHT FOR FENCES IN ORDER TO CONSTRUCT A TEN (10) FT. SECURITY FENCE IN AN I-2 (HEAVY) INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT 955 INTERSTATE HIGHWAY 20 SOUTH FRONTAGE RD. (PARCELS 203-28-3 & 203-28-4), CASE NO. 3881.

WHEREAS, Electric Guard Dog, LLC has filed a petition for a two (2) feet Variance from the maximum eight (8) ft. height for fences in order to construct a ten (10) ft. security fence which will be powered by a 12V battery independent of the power grid in an I-2 (Heavy) Industrial District in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

WHEREAS, Jackson City Planning Board, after holding the required public hearing on November 19, 2014, has recommended approval of the said petition; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, December 15, 2013 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Mississippi Link on October 30, 2014 and November 13, 2014 that a hearing would be held by the Jackson City Planning Board on November 19, 2014, as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned two (2) feet Variance from the maximum eight (8) ft. height for fences in order to construct a ten (10) ft. security fence which will be powered by a 12V battery independent of the power grid within the existing I-2 (Heavy) Industrial District of the City of Jackson; and

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WHEREAS, the Council, after having considered the matter, is of the opinion that the granting of the Variance would not confer upon the applicant any special privilege that is denied by the Zoning Ordinance to other similar lands, structures or buildings in the same district and that special conditions and circumstances exist that do not result from actions of the applicant within the existing I-2 (Heavy) Industrial District of the City of Jackson; and

NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

SECTION 1. That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

PORTIONS OF PARCELS # 203-28-3 & 203.28-4

EXHIBIT A

A tract of land containing 13.570 acres being Lots 5 through 11, Bailey Hill Subdivision, as recorded in Plat Cabinet C Slide 368 in the office of the Chancery Clerk of Hinds County, Mississippi and being more particularly described as follows:

Begin at the Northwest corner of said Lot 5 and run along the Southern Right-of-Way Line of Interstate Highway 20 the following courses: South 64 degrees 12 minutes 28 seconds East for a distance of 202.34 feet; thence South 46 degrees 30 minutes 58 seconds East for a distance of 200.10 feet; thence South 49 degrees 34 minutes 10 seconds East for a distance of 187.75 feet to the beginning of a curve to the left; thence Easterly, counterclockwise along the arc of said curve for a distance of 398.42 feet, said curve having a central angle of 42 degrees 28 minutes 22 seconds, a radius of 537.47 feet and a chord bearing of South 67 degrees 45 minutes 10 seconds East for a distance of 389.36; thence South 80 degrees 07 minutes 26 seconds East for a distance of 259.55 feet; thence South 01 degrees 00 minutes 38 seconds West for a distance of 100.00 feet; thence South 88 degrees 59 minutes 22 seconds East for a distance of 57.10 feet to the Western Right-of-Way Line of McDowell Road; thence South 00 degrees 48 minutes 08 seconds West along said Western Right-of-Way Line for a distance of 269.60 feet to the Southeast corner of aforesaid Lot 11 and the Southern boundary of aforesaid Bailey Hill Subdivision thence run along said Southern boundary the following courses: South 74 degrees 26 minutes 30 seconds West or a distance of 550.58 feet; thence North 00 degrees 42 minutes 53 seconds East for a distance of 269.11 feet; thence South 89 degrees 28 minutes 56 seconds West for a distance of 443.16 feet; thence North 00 degrees 06 minutes 18 seconds East for a distance of 116.94 feet; thence South 66 degrees 33 minutes 52 seconds West for a distance of 184.53 feet to the Southwest corner of aforesaid Lot 5; thence North 00 degrees 06 minutes 17 seconds East along the Western boundary of said Lot 5 for a distance of 749.04 feet to the Point of Beginning.

EXHIBIT B

A tract of land containing 3.72 acres being Lots 7 and 8, Bailey Hill Subdivision, as recorded in Plat Cabinet C Slide 368 in the office of the Chancery Clerk of Hinds County, Mississippi and being more particularly described as follows:

Begin at the Northwest corner of said Lot 7 and run along the Southern Right-of-Way Line of Interstate Highway 20 the following courses: South 46 degrees 30 minutes 58 seconds east for a distance of 64.71 feet; thence South 49 degrees 34 minutes 10 seconds east for a distance of 187.75 feet to the beginning of a curve to the left; thence Easterly, counterclockwise along the arc of said curve for a distance of 222.12 feet to Northeast corner of aforesaid Lot 7 and Lot 8, said curve having a central angle of 23 degrees 40 minutes 41 seconds, a radius of 537.47 feet and a chord bearing of South 58 degrees 21 minutes 20 seconds East for a distance of 220.54 feet; leaving said Southern Right-of-Way Line, run thence South 08 degrees 17 minutes 02 seconds West along the Eastern boundary of said Lot 8 for a distance of 205.73 feet to the Southeast corner thereof; thence South 66 degrees 33 minutes 52 seconds West along the Southern boundary of said Lot 8 for a distance of 312.35 feet; thence South 89 degrees 28 minutes 56 seconds West along said Southern boundary for a distance of 174.09 feet to the

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Southwest corner thereof; thence North 00 degrees 06 minutes 18 seconds East along the Western boundary of said Lot 8 for a distance of 116.94 feet to the Northwest corner thereof; thence North 66 degrees 33 minutes 52 seconds East along the Northern boundary of said Lot 8 for a distance of 121.70 feet to the Western boundary of aforesaid Lot 7; thence North 00 degrees 06 minutes 18 seconds East along Western boundary for a distance of 446.04 feet to the Point of Beginning.

be and is hereby granted a two (2) feet Variance from the maximum eight (8) ft. height for the construction of a ten (10) ft. security fence which will be powered by a 12V battery independent of the power grid in an I-2 (Heavy) Industrial District fence.

President Stamps recognized **Joseph Byrd**, a representative of Electric Guard Dog, LLC, who addressed the Council and argued in favor of the property located at 955 Interstate Highway 20 South (Parcels 203-28-3 & 203-28-4) to allow a two (2) ft. Variance from the eight (8) ft. maximum height requirement to install a ten (10) ft. security fence which will be powered by a 12V battery independent of the power grid in an I-2 (Heavy) Industrial District.

There was no opposition from the public.

Council Member Priester moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Hendrix, Priester and Stamps.

Nays- None.

Absent- Tillman.

President Stamps recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3882, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

President Stamps requested that the Clerk read said Order:

ORDINANCE APPROVING PYRON REAL ESTATE A REZONING FROM R-1A (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO C-2 (LIMITED) COMMERCIAL DISTRICT, IN ORDER TO ESTBLISH CONTIGUITY WITH THE ADJACENT C-2 ZONED PROPERTIES FOR PROPERTY LOCATED AT 1639 LAKELAND DR., CASE NO. 3882.

WHEREAS, Pyron Real Estate has filed a petition to rezone property located on 1639 Lakeland Drive, in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-1A (Single-Family) Residential District to C-2 (Limited) Commercial District in order to establish contiguity with the adjacent C-2 zoned properties; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has recommended approval to rezone the property from R-1A (Single-Family) Residential District to C-2 (Limited) Commercial District in order to establish contiguity with the adjacent C-2 zoned properties; and

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WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, December 15, 2014 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Mississippi Link on October 30, 2014 and November 13, 2014 that a hearing would be held by the Jackson City Planning Board on November 19, 2014, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned rezoning of the above described property to C-2 (Limited) Commercial District in order to establish contiguity with the adjacent C-2 zoned properties; and

WHEREAS, the Council after having considered the matter, is of the opinion that such changes would be in keeping with sound land use practice and to the best interest of the City and that there has been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is a public need for additional property in that area zoned in accordance with the request in said application since any previous City Council action; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

Part of the SE ¼ of Section 25, T6N, R1E, First Judicial District, Hinds County, Mississippi, and being more particularly described by metes and bounds as follows, to-wit:

Beginning at a point on the south line of Lakeland Drive which point is 1,272 feet measured North 89 degrees and 35 minutes East along the north line of the Southeast Quarter of said Section 25, T6N, R1E, from the northwest corner of the said Southeast Quarter and from this point of beginning run North 89 degrees and 35 minutes East along the south line of Lakeland Drive which south line is also the north line of the aforesaid Southeast Quarter of said Section 25 for a distance of 90 feet; run thence South one degree and 1/100 minutes West and parallel with the west line of the aforesaid Southeast Quarter of Section 25 for a distance of 160 feet; run thence South 89 degrees and 35 minutes West for a distance of 90 feet; run thence North one degree and 1/100 minutes East for a distance of 160 feet to the point of beginning.

is hereby rezoned and changed from R-1A (Single-Family) Residential District to C-2 (Limited) Commercial District in order to establish contiguity with the adjacent C-2 zoned properties provided, however that before a permit is issued for any structure to be erected or modified on the property located at 1639 Lakeland Drive, or for any use thereof, the applicant must meet the requirements established through the Site Plan Review process. The Zoning Administrator is ordered to note such change on the Official Zoning Map to the City of Jackson, Mississippi.

SECTION 2. That the cost of publication of this Ordinance shall be borne by the petitioner.

SECTION 3. That this Ordinance shall be effective thirty (30) days after its passage and after publication of same by the petitioner.

There was no opposition from the public.

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Council Member Barrett-Simon moved adoption; Council Member Priester seconded.

Yeas- Barrett-Simon, Hendrix, Priester and Stamps.

Nays- None.

Absent- Tillman.

President Stamps recognized Zoning Administrator Ester Ainsworth who provided the Council with a procedural history of Case No. 3883, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

President Stamps requested that the Clerk read said Order:

ORDINANCE APPROVING ROBERT SMITH A REZONING FROM C-2 (LIMITED) COMMERCIAL DISTRICT TO C-3 (GENERAL) COMMERCIALDISTRICT, IN ORDER TO BE MORE COMPATIBLE WITH THE ADJACENT & SURROUNDING C-3 (GENERAL) COMMERCIAL LAND USES FOR PROPERTY LOCATED AT 3165 TERRY RD., CASE NO. 3883.

WHEREAS, Robert Smith has filed a petition to rezone property located on 3165 Terry Rd., in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C-2 (Limited) Commercial District to C-3 (General) Commercial District in order to be more compatible with the adjacent and surrounding C-3 (General) Commercial land uses; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has recommended approval to rezone the property from C-2 (Limited) Commercial District to C-3 (General) Commercial District in order to be more compatible with the adjacent and surrounding C-3 (General) Commercial land uses; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, December 15, 2014 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Mississippi Link on October 30, 2014 and November 13, 2014 and that a hearing would be held by the Jackson City Planning Board on November 19, 2014, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned rezoning of the above described property to C-3 (General) Commercial District in order to be more compatible with the adjacent and surrounding C-3 (General) Commercial land uses; and

WHEREAS, the Council after having considered the matter, is of the opinion that such changes would be in keeping with sound land use practice and to the best interest of the City and that there has been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is a public need for additional property in that area zoned in accordance with the request in said application since any previous City Council action; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

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A part of lots 14 and 15, Block "E", Alameda First Addition, a subdivision according to a map or plat thereof which is on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book 7 Page 42, reference to which is hereby made in aid of and as a part of this description and being more particularly described as follows: Commence at the Northwest corner of lot 14, Block "E" of said Alameda First Addition and run thence South along the West line of Lots 14, 15, and 16 of said Block "E", Alameda First Addition a distance of 93.93 feet to the point of beginning, continue thence South along said West line of Lots 14, 15, and 16 a distance of 133.9 feet to a point; thence East parallel to the South line of Lot 14 a distance of 154.43 feet to the West line of Terry Road; thence North 18 degrees 16 minutes East along said West line of Terry Road 63.88 feet; thence North 71 degrees 17 minutes W 16.8 feet; thence North 13 degrees 32 minutes East 10.8 feet; thence N 70 degrees 26 minutes W 170.09 feet to the point of beginning.

is hereby rezoned and changed from C-2 (Limited) Commercial District to C-3 (General) Commercial District in order to be more compatible with the adjacent and surrounding C-3 (General) Commercial land uses provided, however that before a permit is issued for any structure to be erected or modified on the property located at 3165 Terry Road, or for any use thereof, the applicant must meet the requirements established through the Site Plan Review process. The Zoning Administrator is ordered to note such change on the Official Zoning Map to the City of Jackson, Mississippi.

SECTION 2. That the cost of publication of this Ordinance shall be borne by the petitioner.

SECTION 3. That this Ordinance shall be effective thirty (30) days after its passage and after publication of same by the petitioner.

President Stamps recognized **Artie Armstrong** and **Robert Smith**, Applicant, who addressed the Council and argued in favor of the property located at 3165 Terry Rd. to allow a rezoning from C-2 (Limited) Commercial District to C-3 (General) Commercial District in order to be more compatible with the adjacent and surrounding C-3 (General) Commercial land uses.

President Stamps recognized **Genny Seeley**, President of South Jackson Neighbors, **Florine Keeler**, resident of South Jackson, **John Sledge**, President of Creston Hills Watch Group and **Claude McCants**, resident of Heritage Estates, who argued in opposition of the property located at 3165 Terry Rd. to allow a rezoning from C-2 (Limited) Commercial District to C-3 (General) Commercial District in order to be more compatible with the adjacent and surrounding C-3 (General) Commercial land uses.

Council Member Priester moved adoption. Item died for lack of a second.

President Stamps requested the Clerk to read the Order to deny:

ORDER DENYING ROBERT SMITH A REZONING FROM C-2 (LIMITED) COMMERCIAL DISTRICT TO C-3 (GENERAL) COMMERCIAL DISTRICT, IN ORDER TO BE MORE COMPATIBLE WITH THE ADJACENT & SURROUNDING C-3 (GENERAL) COMMERCIAL LAND USES FOR PROPERTY LOCATED AT 3165 TERRY RD., CASE NO. 3883.

WHEREAS, Robert Smith has filed a petition to rezone property located on 3165 Terry Rd., in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C-2 (Limited) Commercial District to C-3 (General) Commercial District in order to be more compatible with the adjacent and surrounding C-3 (General) Commercial land uses; and

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WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has recommended approval to rezone the property from C-2 (Limited) Commercial District to C-3 (General) Commercial District in order to be more compatible with the adjacent and surrounding C-3 (General) Commercial land uses; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, December 15, 2014 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Mississippi Link on October 30, 2014 and November 13, 2014 that a hearing would be held by the Jackson City Planning Board on November 19, 2014, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned rezoning of the above described property to C-3 (General) Commercial District in order to be more compatible with the adjacent and surrounding C-3 (General) Commercial land uses; and

WHEREAS, the Council after having considered the matter, is of the opinion that such changes would not be in keeping with sound land use practice and to the best interest of the City and that there has not been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is not a public need for additional property in that area zoned in accordance with the request in said application since any previous City Council action; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

A part of lots 14 and 15, Block "E", Alameda First Addition, a subdivision according to a map or plat thereof which is on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book 7 Page 42, reference to which is hereby made in aid of and as a part of this description and being more particularly described as follows: Commence at the Northwest corner of lot 14, Block "E" of said Alameda First Addition and run thence South along the West line of Lots 14, 15, and 16 of said Block "E", Alameda First Addition a distance of 93.93 feet to the point of beginning, continue thence South along said West line of Lots 14, 15, and 16 a distance of 133.9 feet to a point ; thence East parallel to the South line of Lot 14 a distance of 154.43 feet to the West line of Terry Road; thence North 18 degrees 16 minutes East along said West line of Terry Road 63.88 feet; thence North 71 degrees 17 minutes W 16.8 feet; thence North 13 degrees 32 minutes East 10.8 feet; thence N 70 degrees 26 minutes W 170.09 feet to the point of beginning.

is hereby denied the requested rezoning from C-2 (Limited) Commercial District to C-3 (General) Commercial District in order to be more compatible with the adjacent and surrounding C-3 (General) Commercial land uses.

Council Member Hendrix moved adoption; **Council Member Barrett-Simon** seconded.

Yeas- Barrett-Simon, Hendrix and Stamps.

Nays- None.

Abstention- Priester.

Absent- Tillman.

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President Stamps recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3884, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

President Stamps requested the Clerk to read said Order:

ORDER GRANTING LEETYCHA JACKSON A USE PERMIT TO OPERATE A COMMERCIAL DAYCARE CENTER IN AN R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT FOR PROPERTIES LOCATED AT 1302 & 1306 BOOKER ST., CASE NO. 3884.

WHEREAS, LeeTycha Jackson has filed a petition for a Use Permit to allow for the operation of a commercial daycare center within an R-4 (Limited-Multi-Family) Residential District in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

WHEREAS, Jackson City Planning Board, after holding the required public hearing on, November 19, 2014, has recommended approval of the said petition; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, December 15, 2014 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Mississippi Link on October 30, 2014 and November 13, 2014 that a hearing would be held by the Jackson City Planning Board on November 19, 2014, all as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board had recommended approval of the petitioned Use Permit within the existing R-4 (Limited-Multi-Family) Residential District of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that the proposed use will not be detrimental to the continued use, value, or development of properties in the vicinity; will not adversely affect vehicular or pedestrian traffic in the vicinity, and will not be hazardous, detrimental, or disturbing to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances and that the request for a Use Permit within the existing R-4 (Limited-Multi-Family) Residential District of the City of Jackson for a commercial day care center be granted; and

NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI:

SECTION 1. That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

Parcel #163-17

Lot Nine (9), Block 2 COLLEGE PARK ADDITION, part 1, a subdivision according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi.

Parcel #163-18

Lot 10, Block 2 COLLEGE PARK ADDITION, and the West ½ of McKinley Street, which lies East of and adjoining said Lot 10, according to the map or plat on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book 4 at Page 36, reference to which is hereby made in aid of and as a part of this description.

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be and is hereby modified so as to approve a Use Permit to allow for the operation of a commercial day care center for properties located at 1302 & 1306 Booker St. within an R-4 (Limited-Multi-Family) Residential District however that before a Use Permit is issued for any structure to be erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process.

President Stamps recognized LeeTycha Jackson, owner of Tons of Fun Learning Center, who addressed the Council and argued in favor of the property located at 1302 & 1306 Booker St. to allow a Use Permit to allow for a commercial child care facility within an R-4 (Limited-Multi-Family) Residential District.

There was no opposition from the public.

Council Member Barrett-Simon moved adoption; Council Member Priester seconded.

Yeas- Barrett-Simon, Hendrix, Priester and Stamps.
Nays- None.
Absent- Tillman.

Esther Ainsworth noted for the record: Cancelled Special Exceptions:

- UP 1107 – Ms. Lavonne Burnley – 1017 Stuart St.
• SE 1111 – Elbert Willis – 3384 Elraime Blvd.
• SE 2331 – New Testament M. B. Church – 2702 Holmes Ave.
• SE 2640 – Edna C. Poe – 1731 Robinson St.
• SE 3279 – Mary B. Washington – 160 Fernwood Drive

No action required.

President Stamps requested the Clerk to read the following:

ORDER GRANTING EXTENSION OF SPECIAL EXCEPTIONS AND USE PERMITS FOR ONE YEAR.

Coming for consideration are requests for the approval of the following for certification of renewal for one year and after the anniversary date of approval for Use Permit or Special Exceptions as follows:

Table with 5 columns: CASE NO., NAME, LOCATION, USE, GRANTED. Rows include Barbara Moaton (12/05/84), Mary L. Clay (11/09/1988), and New Evergreen M.B. Church (11/03/1993).

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Council Member Barrett-Simon moved adoption; Council Member Hendrix seconded.

Yeas- Barrett-Simon, Hendrix, Priester and Stamps.
Nays- None.
Absent- Tillman.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Meeting to be held at 6:00 p.m. on Tuesday, December 16, 2014; at 3:47 p.m., the Council stood adjourned.

ATTEST:

APPROVED:

Kristi Moore
CITY CLERK

[Signature], 1.6.15
MAYOR DATE
